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ELIAS NAZARIO FERNANDEZ

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.
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**08cv8243(HB)
02cr0881(HB)
ORDER**

Hon. HAROLD BAER, Jr., District Judge:

WHEREAS, Petitioner Elias Nazario Fernandez, has filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255; and

WHEREAS the United States Attorney's Office represented the Government in the Petitioner's original criminal case, No. 02 CR 881 (HB); it is hereby

ORDERED that United States Attorney's Office shall direct the appropriate assistant to respond to the Petitioner's motion within forty-five (45) days from the date of this Order; and it is hereby

ORDERED that Petitioner shall thereafter have thirty (30) days within which to file a reply; and it is hereby,

ORDERED that the Clerk of the Court shall provide the United States Attorney's Office with a copy of the Petitioner's motion any other relevant materials.

SO ORDERED
April 17, 2009
New York, New York

U.S.D.J.